Page 1

**IASSC West** 

WWOHINGS.
MANAL PROTECTION

**United States Environmental Protection Agency** Washington, DC 20460

# Interagency Agreement/ **Amendment**

Part 1 - General Information

1. EPA IA Identification Number 2. Funding Location DW-96-94212901 - 9 by Region EPA R2

3. Other Agency IA ID Number (if known) 4. Awarding Office

5. Type of Action 6. IA Specialist:

Augmentation: Increase Kathy Tsing-Choy 206-553-4688 Tsing-Choy.Kathy@epa.gov

7. Name and Address of EPA Organization

**US Environmental Protection Agency IASSC** West 1200 Sixth Avenue, Suite 900, OMP-145

Seattle, WA 98101

9. DUNS: 029128894 10. BETC: DISB 8. Name and Address of Other Agency

U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES)

Omaha, NE 68102-9200

12. BETC: COLL 11. DUNS: DOD964126

#### 13. Project Title and Description

Cornell-Dubilier Electronics, OU4, RI/FS, Superfund Site, South Plainfield, New Jersey

Remedial Investigation/Feasibility Study (RI/FS) activities of OU4 (Bound Brook) at the Cornell-Dubilier Electronics Superfund Site, South Plainfield, New Jersey (EPA ID#:NJD981557879).

This amendment increases Federal funding by \$300,000 and updates Condition #20.

#### 14. EPA Project Officer (Name, Address, Telephone Number)

290 Broadway (ERRD/PSB/CMS) New York, NY 10007-1866

212-637-4303

E-Mail: gottesman.justin@epa.gov

FAX: 212-637-3083

1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200

15. Other Agency Project Officer (Name, Address, Telephone)

402-697-2425

E-Mail: marvene.l.seaman@usace.army.mil

FAX: 402-697-2613

Marvene L. Seaman

17. Budget Period: 09/30/2007 to 03/31/2015

### 18. Scope of Work (See Attachment)

SCOPE OF WORK REMAINS THE SAME

**16. Project Period:** 09/30/2007 to 03/31/2015

The EPA Remedial Project Manager for this IA is Mark Austin. He can be reached at 212-637-3954.

19. Employer/Tax ID No. 520852695

**20. CAGE No:** 347A4

21. ALC: 68-01-0727

22. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580

23. Other Agency Type Federal Agency

24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)

	Previous Funding	This Action	Amended Total
Revise Reimbursable (in-house)			0
Direct Fund Cite (contractor)			0
Total			0

Funds	Previous Amount	Amount This Action	Total Amount
25. EPA Amount	\$5,587,000	\$300,000	\$5,887,000
26. EPA In-Kind Amount			\$0
27. Other Agency Amount		\$0	\$0
28. Other Agency In-Kind Amount			\$0
29 Total Project Cost	\$5 587 000	\$300,000	\$5,887,000

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Treas. Symbol	DCN	FY	Appropriation	<b>Budget Org</b>	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
68-68X8145	1302HE0260	13	TR2	02D	303DD2	2506	02GZCO04	C004	300,000
									300 000

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			EPA IAG Identification No. D	W-96-94212901 - 9 Page 2
	Part II - Approved	Budget		EPA IAG Identification Number DW-96-94212901 - 9
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$157,837	\$1,896		\$159,733
(b) Fringe Benefits	\$72,166	\$1,138		\$73,304
(c) Travel	\$12,000			\$12,000
(d) Equipment	\$0			\$0
(e) Supplies	\$0			\$0
(f) Procurement / Assistance	\$5,120,000	\$290,000		\$5,410,000
(g) Construction	\$0			\$0
(h) Other	\$79,194	\$5,100		\$84,294
(i) Total Direct Charges	\$5,441,197	\$298,134	\$0	\$5,739,331
(j) Indirect Costs:	\$145,803	\$1,866		\$147,669
Not Charged: Funds-Out: Not charged by Other A Estimate by other Agenc Amount \$  (k) Total		\$300,000	\$0	\$5,887,000
(EPA Share 100.00 %) (Other Agency Share 0.00 %)			Ţ,	¥3,401,101
32. How was the IDC Base calculate	ed? Personnel and Fringe E	Benefits		
33. Is equipment authorized to be f (Identify all equipment costing		, purchased, or rented	with EPA funds?	⊠ No
34. Are any of these funds being u	sed on Procure/Assistance	agreements?	Yes No	
Type of Procure/Assistance Agree	ment Contract			
Contractor/Recipient Name (if known)	Total Procure/A	Assistance Amount Und		Percent Funded by EPA (if known)
-			5410000 <b>Total</b> \$ 5,410,000.00	
		ng Methods and B		
35.	(Note: EPA Agend	y Location Code (	ALC) - 68010727)	
Disbursement Agreement	Office, Cincinnati, OH 4		itemized on SF 1080 and	submitted to the Financial Management
🔀 Repayment	Monthly	Quarterly	Upon Com	oletion of Work
Advance	type of payment method	d. Unexpended funds at		appropriate justification of need for this returned to EPA. Quarterly cost reports 45268-7002.
Allocation Transfer-Out	by the Office of Comp	otroller, Budget Division, ne Financial Reports and	Budget Formulation and	al agencies. Must receive prior approval Control Branch, EPA Hdqtrs. Forward I Management Division, PM-226F, EPA,
<b>36.</b> ☐ Reimbursement Agreement ☐ Allocation Transfer-In	Repayment	Advance		
Other Agency's Billing Address (inc EPA Form 1610-1 (Rev. 11-09). Previous e	·	ol Number)	Other Agency's Billing I	nstructions and Frequency

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## **Part IV - Acceptance Conditions**

**EPA Identification Number** 

DW-96-94212901 - 9

37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.

## Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office (for administrative assistance) EPA Program Office (for technical assistance)			
38. Organization/Address 39. Organization/Address			
U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101	US Environmental Protection Agency R2 - Region 2 290 Broadway New York, NY 10007-1866		
Award Official on Beha	If of the Environment Protection Agency		
10. Digital signature applied by EPA Award Official   Armina K. No	olan - Manager - Grants and Interagency Agreements Unit	Date	
		06/28/2013	
Authorizing Office	cial on Behalf of the Other Agency		
11. Signature Typed Name and Title		Date	

EPA Form 1610-1 (Rev. 11-09) Previous editions are obsolete.

# **Administrative Conditions**

## Condition number 20 is REVISED:

20. Restrictions on FY12, FY13, and/or FY14 Funding for Corporations with Unpaid Federal Tax Liabilities and Felony Convictions (for funds-out awards with funds in procurement /assistance) (updated 04/03/2013)

This IA obligates and transfers or advances EPA funds appropriated under Public Law 113-6 (Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013) and Public Law 112-175 (Continuing Appropriations Resolution, 2013) which continues provisions contained in the Department of Interior, Environment, and Related Agencies Appropriations Act, 2012, Public Law 112-74 (FY12 Appropriations Act), Division E, Title IV, Sections 433 and 434. As a result, this interagency agreement (IA) is subject to the provisions of Division E, Sections 433 and 434 of the Appropriations Act, regarding federal felony convictions and unpaid federal tax liabilities. Specifically,

## Section 433 provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

### Section 434 of Division E of the Appropriations Act further provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with respect to which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Accordingly, by accepting the award of this IA, the USACE agrees that it will comply with and implement the prohibitions of Sections 433 and 434 for any contract, assistance agreement, loan, loan guarantee or other instrument with any corporation that will be funded with funds provided under this IA. Non-compliance with the provisions of Sections 433 and 434 may implicate the Antideficiency Act. USACE will forward to the EPA Award Official, within 45 days, any determination and documentation supporting an award where suspension and debarment are considered by the awarding agency.

## **END OF DOCUMENT**

									Pag	<u> </u>
			ed States Enviro Protection Age Vashington, DC	ncy	1. EPA IA Ider	ntification Num DW-96-9421290			2. Funding by Regio	Location n EPA R2
SO THE STATE		Intera	gency Agr Amendme		3. Other Agency IA ID Number (if known)			4. Awarding Office IASSC West		
THE PROTECTO		Part 1	- General In	formation	5. Type of Act	ion Augmentation: I	ncrease		6. IA Speci Kathy Tsing 206-553-46 Tsing-Choy	g-Choy
7. Name and Address of EF US Environmental Protection IASSC West 1200 Sixth Avenue, Suite 900	Agency				8. Name and Address of Other Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200					
Seattle, WA 98101 9. DUNS: 029128894		10 RET	C: DISB		44 DUNE DO	D064426	14	2 BET	C: COLL	· · · · · · · · · · · · · · · · · · ·
13. Project Title and Descri					11. DUNS: DC	7U904120				
Remedial Investigation/Feasi (EPA ID#:NJD981557879). This amendment increases F	•	• •	•	·	•	Judinor Eloutoria	so Super	idila on	o, Godal i lai	micia, raw serse
14. EPA Project Officer (Name, Address, Telephone Number) Justin Gottesman 290 Broadway (ERRD/PSB/CMS) New York, NY 10007-1866 212-637-4303					15. Other Agency Project Officer (Name, Address, Telephone) Marvene L. Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425					
E-Mail: gottesman.justin@er	a.gov				E-Mail: marve FAX: 402-697	ne.l.seaman@u	sace.arm	y.mil		
FAX: 212-637-3083 16. Project Period: 09/30/20	07 to 02	/24/2045				riod: 09/30/200	7 to 03/	21/2015		
18. Scope of Work (See Att SCOPE OF WORK REMAIN The EPA Remedial Project N	S THE S	AME	is Mark Austin. H	le can be reac						
19. Employer/Tax ID No. 52	0852695		20. CAGE	No: 347A4		21. AL	C: 68-01	-0727	<del></del>	
22. Statutory Authority for CERCLA: Secs. 105(a)(4) &	115 and I	Executive	Order 12580		Federal Agency					
24. Revise Reimbursable F	unds and	Direct I								
Revise Reimbursable (in-ho	uise)		Previous Fund	mg	This Action				Amended Total 0	
Direct Fund Cite (contracto		<u> </u>					<del></del> +			
	٠,	l								
Total										
<u>`</u>										
Total Funds			Previous Amo		Amou	nt This Action			Total Ar	0 nount
Total Funds 25. EPA Amount			Previous Amo	ount \$5,587,000	Amou		00,000		Total Ar	0 nount \$5,887,000
Funds 25. EPA Amount 26. EPA in-Kind Amount			Previous Amo		Amou				Total Ar	nount \$5,887,000
Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount	mount		Previous Amo		Amou		00,000		Total Ar	nount \$5,887,000 \$0
Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind A	mount		Previous Amo	\$5,587,000	Amou	\$3	\$0		Total Ar	nount \$5,887,000 \$0 \$0
Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind A 29. Total Project Cost	mount		Previous Amo		Amoul	\$3			Total Ar	nount \$5,887,000 \$0 \$0
Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind A 29. Total Project Cost 30. Fiscal Information	mount	FY		\$5,587,000 \$5,587,000		\$3 \$3	\$0	roject 1		nount \$5,887,000 \$0 \$0 \$0 \$5,887,000
Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind A 29. Total Project Cost		FY 13	Previous Amo	\$5,587,000	PRC	\$3	\$0 00,000 Site/Pr	oject	Total Ar  Cost Org  C004	nount \$5,887,000 \$0 \$0

EPA IAG Identification No. DW-96-94212901 - 9 Page 2 Part II - Approved Budget **EPA IAG Identification Number** DW-96-94212901 - 9 31. Budget Categories Itemization of Itemization of This In-Kind Itemization of Itemization of Total All Previous Actions Action This Action **Project Cost to Date** (a) Personnel \$157,837 \$1,896 \$159,733 (b) Fringe Benefits \$72,166 \$1,138 \$73,304 \$12,000 \$12,000 (c) Travel (d) Equipment \$0 <u>\$0</u> (e) Supplies \$0 \$0 \$5,120,000 \$290,000 \$5,410,000 (f) Procurement / Assistance (g) Construction \$0 \$0 (h) Other \$79,194 \$5,100 \$84,294 (i) Total Direct Charges \$5,441,197 \$298,134 \$0 \$5,739,331 (j) Indirect Costs: \$145,803 \$1,866 \$147,669 Charged - Amount Rate: 63% Base: \$233,037.00 Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$ (k) Total \$5,587,000 \$300,000 \$0 \$5,887,000 (EPA Share 100.00 %) (Other Agency Share 0.00 %) 32. How was the IDC Base calculated? Personnel and Fringe Benefits 33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ! Yes No (Identify all equipment costing \$1,000 or more)N/A 34. Are any of these funds being used on Procure/Assistance agreements? X Yes\_ No Type of Procure/Assistance Agreement Contract Contractor/Recipient Name (if Total Procure/Assistance Amount Under This Project Percent Funded by EPA (if known) known) 5410000 Total \$5,410,000.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) 35. Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: □ Disbursement Agreement □ Repayment Monthly Monthly Quarterly Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this Advance type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval Allocation Transfer-Out by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdgtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 36. Reimbursement Agreement Repayment \_\_ Advance Allocation Transfer-In Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency

EPA Form 1610-1 (Rev. 11-09). Previous editions are obsolete

EPA IAG Identification No.DW-96-94212901 - 9 **EPA Identification Number** Part IV - Acceptance Conditions DW-96-94212901 - 9 37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment. Part V - Offer and Acceptance Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA, EPA will return one original copy after acceptance returned to the other agency after acceptance. EPA IA Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 38. Organization/Address 39. Organization/Address U.S. Environmental Protection Agency US Environmental Protection Agency IASSC West R2 - Region 2 1200 Sixth Avenue, Suite 900, OMP-145 290 Broadway Seattle, WA 98101 New York, NY 10007-1866 Award Official on Behalf of the Environment Protection Agency

Authorizing Official on Behalf of the Other Agency

Scott E. Young, Chief, Environmental Programs Branch

40. Digital signature applied by EPA Award Official | Armina K. Nolan - Manager - Grants and Interagency Agreements Unit

Typed Name and Title

Date

Date

06/28/2013

EPA Form 161 (1 (Rev. 11-09) Previous editions are obsolete

Signature